

# Broken homes, broken boys Thir 10-31-13 LA Times

By Kay S. Hymowitz

**W**HEN I STARTED following the research on child well-being about two decades ago, the focus was almost always girls' problems — their low self-esteem, lax ambitions, eating disorders and, most alarming, high rates of teen pregnancy. Now, though, with teen births down more than 50% from their 1991 peak and girls dominating classrooms and graduation ceremonies, boys and men are increasingly the ones under examination. Their high school grades and college attendance rates have remained stalled for decades. Among poor and working-class boys, the chances of climbing out of the low-end labor market — and of becoming reliable husbands and fathers — are looking worse and worse.

This spring, MIT economist David Autor and coauthor Melanie Wasserman suggested a reason for this: the growing number of fatherless homes. Boys and young men weren't behaving rationally, they suggested, because their family situations had left them without the necessary attitudes and skills to adapt to changing social and economic conditions. Anyone interested in the plight of poor and working-class men — and, more broadly, mobility and the American dream — should hope this research, and the considerable biological and psychological evidence behind it, becomes part of the public debate.

Signs that the nuclear-family meltdown of the past half a century has been particularly toxic to boys are not new. As far back as the 1970s, researchers began noticing that, although both girls and boys showed distress when their parents split up, they had different ways of showing it. Girls tended to "internalize" their unhappiness and were likely to become depressed and anxious. Boys, on the other hand, "externalized" or "acted out," becoming more impulsive, aggressive and "antisocial."

Both reactions were worrisome, but boys' behavior had the disadvantage of annoying and even frightening classmates,

teachers and neighbors. Boys from broken homes were more likely than their peers to get suspended and arrested. Girls' unhappiness also seemed to ease within a year or two of their parents' divorce; boys' didn't.

Autor and Wasserman cite a large study by University of Chicago sociologists that shows fatherless boys were more disruptive than peers from two-parent families by fifth grade, and by eighth grade, they had a substantially greater likelihood of getting suspended. And justice experts have long known that juvenile facilities and adult jails overflow with sons from broken families.

Liberals often assume that these kinds of social problems result from our stingy support system for single mothers and their children. Provide more maternity leave, quality daycare and healthcare, goes the thinking, and a lot of the disadvantages of single-parent homes would vanish. But the link between criminality and fatherlessness holds even in countries with lavish social welfare systems. A 2006 Finnish study of 2,700 boys, for instance, concluded that living in a non-intact family at age 8 predicted a variety of criminal offenses.

Even boys who don't land in juvenile court find their prospects diminished. Several studies have concluded that boys raised in single-mother homes are less likely to go to college than boys with similar achievement levels raised in married-couple families; girls show no such gap.

So why do boys in single-mother families have a harder time of it than their sisters? There's the role-model theory — that boys need fathers because that's who teaches them how to be men. The theory makes intuitive sense. And some evidence exists, though it's far from settled, that boys who live with their fathers after divorce do better than those who stay with their mothers.

As the sole explanation for the boy disadvantage, though, the role-model theory needs modification. If boys simply needed men in their lives to teach them the ways of the gendered world, then uncles, family friends, mentors, teachers, stepfathers and nonresidential but involved fathers could do the trick. It's not clear that this is the

case. And stepfathers have an especially mixed record in helping boys, the research shows. Among boys in one study, those, without fathers were more likely to be incarcerated, but those who lived with stepfathers were at even higher risk of incarceration than the single-mom cohort.

If the trends of the last 40 years continue — and there's little reason to think that they won't — the percentage of boys growing up with single mothers will keep growing. No one knows how to stem that tide. But by understanding the way family instability interacts with boys' restless natures, educators could experiment with approaches that might improve at least some lives.

Educators and psychologists have often described boys as "needing clear rules" or "benefiting from structure." Equally important is to find ways to improve boys' literacy. Boys have always had greater difficulty learning to read than girls, and that holds across all socioeconomic levels and in every country where PISA scholastic tests are given to 15- and 16-year-olds. Kids having trouble reading too often become disengaged from school and drop out.

But the truth is, we don't know for sure what will help. Our best bet is probably to follow the advice of social thinker Jim Manzi and start with small, controlled studies that lend themselves to careful evaluation — and keep experimenting.

Yet what also remains unknown is a possibility impervious to experiment. It just may be that boys growing up where fathers — and men in general — appear superfluous confront an existential problem: Where do I fit in? Who needs me, anyway? Boys see that men have become extras in the lives of many families and communities, and it can't help but depress their aspirations. Solving that problem will take something much bigger than a good literacy program.

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# Jailhouse math

Thur 10-31-13  
LA Times

**D**ID DR. CONRAD MURRAY get out early?

The short answer is no. Murray, the doctor who was convicted of involuntary manslaughter in the death of Michael Jackson, had served nearly two years of a four-year sentence when he was released from Los Angeles County Jail just after midnight Monday. That's only half the sentence, but it's also the full amount of jail time provided for by law.

How is that not getting out early? Since when does four years equal just under two?

It's complicated.

And it's important — not because Murray is any different from most California inmates, but rather because he is so typical — and because his high-profile sentence is a window into the state's convoluted and misleading sentencing rules.

It would be simplistic to say that those rules alone are what caused the state's current criminal justice crisis, with the prison system under federal receivership and a court order looming to require the release of more than 8,000 convicted felons by late February. The sentencing rules are, rather, one especially vexing result of years of so-called tough-on-crime laws fueled by fear, anti-drug frenzy and political opportunism.

It's not merely that sentences were lengthened during those years; they were lengthened haphazardly, one by one, crime by crime, responding to particular incidents, with no comprehensive examination of the state's sentencing system and with few questions asked about the purpose of prison time. Often the same Legislature that adopted longer jail and prison terms undermined them by requiring more good-conduct credits — and later reversed itself by revoking or limiting credits. The result is a mish-mash of apparently conflicting sentencing statutes; trial judges are often unable to figure out how much incarceration time to order without the help of a computer.

All that said, the Murray case is basic, at least on the surface. He got four years for involuntary manslaughter. That's a felony, and although every felony is a serious crime, this one is not designated by statute as one of the "serious" (or "violent" or "sexual") offenses that are ineligible for certain good-conduct credits. Under a 30-year-old state law, Murray was eligible for one day off for good conduct for every day served. Because his behavior was "exemplary," according to a sheriff's spokesman, Murray's four-year sentence was completed after two years. The jail was not entitled to hold him any longer than that.

Actually, his sentence was up 46 days short of two years, because in addition to the good-conduct credits, he earned what's known as custody credit — a day for every day he was behind bars before or during trial.

But why not just sentence him to two years, then, if that's all he was ever going to serve? Why mislead the public by calling it a four-year sentence?

Again, it's complicated.

For many years California had indetermi-

nate sentences, such as 10 to 25 years. A parole board would review each inmate's record to determine whether he or she had shown sufficient remorse and evidence of rehabilitation, and posed a sufficiently reduced threat to society, to be released on the short end rather than the far end of the term. Good conduct was taken into consideration, as was working in a prison job.

But when the state began its get-tough era in 1977, it declared that the purpose of prison was punishment, not rehabilitation, and it eliminated most indeterminate sentences in favor of set terms like five years or 10 years. Wardens still needed to provide their inmates an incentive to behave, though, so lawmakers replaced much of the parole board's work with a grant of one day of good-conduct credit for every two days served.

Over the years they upped it to one-for-one for inmates who worked prison jobs, making a four-year sentence into two years behind bars, followed by one to two years under the watchful eye of a state parole agent. From then on, credits waxed and waned depending on the prevailing moods and needs of the time: more incentives and rewards for good conduct and work, fewer credits to punish more egregious crimes (as with the three-strikes law), more credits in order to clear out prison beds and make space for newcomers.

In 2009, the year of Murray's crime, the state was ordered to reduce its prison population. To comply, it again adjusted good-conduct credits. In-prison work was no longer necessary to get one day off for every day served.

Two years ago, nonviolent, nonserious, non-sexual felons like Murray began to serve their prison terms in county jails rather than state prisons. Sheriffs generally have the discretion to release most jail inmates long before their sentences are served (remember Paris Hilton in 2007 and Lindsay Lohan in 2011?), but that doesn't apply to Murray and other so-called AB 109 realignment inmates, who formerly would have been sent to state prison. They must serve the full time — as calculated by factoring in earned conduct and custody credits. With those credits, Murray's full time was just under two years.

It would be more honest if the sentence on the books, and the one sought by the prosecutor and handed down by the judge, were called a two- to four-year term rather than a four-year sentence. As it is, the public is led to believe that felons are routinely let out "early," which in turn suggests, incorrectly, that punishment in California is lax, even in an era of tough sentences.

That's something an Assembly select committee should keep in mind next month at its hearing on state sentencing. For sentencing reform to work, the public must have confidence in the system and must recognize that "early release" isn't necessarily early at all. Lawmakers can help restore that confidence by allowing an independent commission, de-linked from the political process, to review and revamp sentencing.

# DEPUTY ABUSE PROBES FOUND SUBPAR

10-31-13  
LA Times

L.A. County Sheriff's Department's internal watchdog says quality of inquiries made it hard to substantiate claims by inmates.

BY JAMES BARRAGAN

The Los Angeles County Sheriff's Department failed to thoroughly investigate allegations from inmates who said they were physically abused by deputies, according to an analysis of 31 cases by the department's internal watchdog.

In a 145-page report, the Office of Independent Review said the department's shoddy initial investigations made it difficult to determine whether the inmates' allegations were valid. The watchdog launched its review of the handling of the cases after the American Civil Liberties Union in 2011 released sworn declarations from 78 inmates who alleged they were abused.

After the ACLU made the declarations public, Sheriff Lee Baca promised to re-investigate the complaints. That review has led to three deputies being criminally charged: one on suspicion of assault and two others suspected of making false reports. Five deputies have been disciplined for violating policy in other cases. Some of the allegations remain under review.

The Office of Independent Review, which is headed by former federal prosecutor Michael Gennaco, said the department's effort to re-evaluate the allegations was undermined by the inadequate investigations that occurred when the inmates first complained to authorities. Most of their claims were dismissed at the time.

The watchdog's report, which was released this week, comes as federal authorities continue to investigate alleged deputy abuse of inmates. Currently, criminal and civil rights investigations of the county jails are being conducted.

Sheriff's spokesman Steve Whitmore said the department will analyze the watchdog's report to see whether improvements can be made. But he defended the department's initial investigations, saying they were thorough.

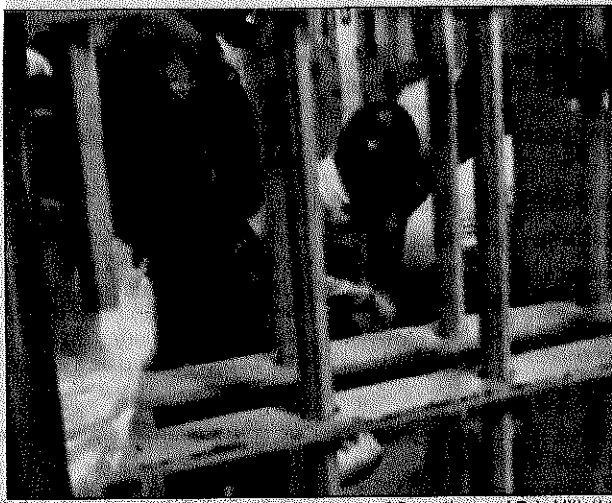
Peter Eliasberg, legal director of the ACLU of Southern California, said the watchdog's report highlighting problems with Sheriff's Department investigations was consistent with what his organization has been saying for years. He also questioned why the sheriff's watchdog hadn't identified problems with those investigations earlier.

"What does that say about the oversight of the OIR?" Eliasberg asked.

Gennaco said the allegations of abuse — with "mid-level injuries" — didn't rise to the level that his office typically reviewed. He said his office now does review such cases.

In other reforms, Gennaco said, the department has changed the way it handles use of force investigations in the lockups. A team of sergeants and lieutenants now oversees cases involving force and presents its findings to a commander's panel that convenes to discuss the case. Supervisors have also started receiving daily reports on incidents involving force to help monitor how force is used in the jails.

Another reform, the report said, has been the installation of 1,500 cameras in the downtown jails. It said 90% of force used in those jails is now caught on camera.



California Department of Corrections and Rehabilitation

**AN IMAGE** from one of the six videotapes that show mentally ill prisoners being doused with pepper spray.

FR 11-1-13 L.A. Times

## Court releases tapes of inmate pepper-spraying

Videos were created  
under policy of  
recording all forcible  
removals from cells.

BY PAIGE ST. JOHN

**SACRAMENTO** — Videotapes released Thursday by a federal court show mentally ill prisoners in California being forced from their cells by guards who douse them repeatedly with pepper spray.

Some of the inmates are being forced to comply with medication orders; others are to be moved to new cells.

The six tapes, created by guards abiding by a state policy to record all cell extractions, were shown in court in October as part of a lawsuit by inmates' lawyers seeking a ban on the use of

pepper spray against the mentally ill.

The tapes were ordered released by U.S. District Judge Lawrence Karlton, who is holding hearings on the issue in Sacramento.

In one tape shot in July of last year at California State Prison at Corcoran, a screaming, naked prisoner is sprayed five times in 15 minutes before being tackled to the ground by about half a dozen guards and then strapped to a gurney.

His prison psychiatrist testified that the psychotic inmate had lost touch with reality and needed emergency medication.

[See Videos, AA4]

**latimes.com**  
/prisoners

Video shows a mentally ill inmate being subdued.



Fri 10-1-13 LA Times

# Judge orders release of tapes

[Videos, from AA1]

"When we order involuntary medications, the inmate is told they will receive medications whether they like it or not," said the psychiatrist, Dr. Ernest Wagner.

Lawyers representing some 30,000 mentally ill prisoners say the tapes show excessive force, the abuse of men who may have little understanding of what is happening to them or why.

"The mentally ill are being punished for their mental illness," Jeffrey Bornstein, a San Francisco attorney representing inmates, told the judge.

Witnesses for the state, including California's direc-

tor of adult prisons, said in court that in all of the taped incidents guards followed proper procedure. It is safer to remove prisoners from their cell at a distance rather than use physical force, they said.

The corrections department filed the videos with the court Thursday and issued a statement calling the use of force "always a last resort for our staff."

Extracting inmates from their cells is typically done to keep them "from harming themselves or others and to ensure that they are placed in a more appropriate mental health setting," the statement said.

"What you don't see on these videos," it said, "is the hours of discussions that take place between the inmate and clinical staff before a cell extraction is ordered and the video camera starts rolling."

The agency said that it is in the process of revising rules to limit the amount of pepper spray used at any one time.

The 31-year-old inmate in the footage from Corcoran last July had been suicidal, Wagner testified — refusing to eat food, consuming his feces and hearing voices. Eventually the court ordered the man medicated, and he was brought out of

his cell to have the drugs administered.

Without the medication, Wagner told the court, the prisoner "would have died."

After being removed from his cell, the inmate remained strapped down, under Wagner's orders.

He was released when a different doctor came on duty and then was moved to an isolation cell, according to medical files read in court. His prison sentence was extended by three months as punishment for refusing orders.

In November of last year, the inmate was admitted to a prison psychiatric hospital, where his condition im-

proved, court documents show. He was then returned to the general prison population and paroled in February, according to courtroom testimony.

Kariton had ordered that the names of prisoners be removed or covered up in the videos, out of concern for their medical privacy. The state also obscured the names of all staff involved in the incidents.

Three of the six tapes were aired in court without editing. The others had only the names of inmates blocked or erased.

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Fri

L A Times

# Policing L.A.'s sheriff

By Laurie L. Levenson

**I**T IS TIME TO SERIOUSLY consider a civilian oversight board for the Los Angeles County Sheriff's Department. The Board of Supervisors is scheduled to consider such a proposal next week. If approved, it could be a big step toward remedying some of the ongoing problems in our county jails.

The last few years have been tough for the department, which has been plagued by jail scandals, committee inquiries and even a federal investigation. Despite the efforts of committed professionals within and outside the department to monitor abuses in the jail system, the problems have continued. Meanwhile, the public has only been invited into the process once the situation has reached crisis dimensions.

A citizen oversight board has the advantage of providing a constant outsider view of the operations of the Sheriff's Department, very much in the same way that the Los Angeles Police Commission monitors the Los Angeles Police Department. Rather than gearing up to deal with the next inevitable crisis, the Board of Supervisors should focus on what monitoring will be the most effective in preventing scandals in the first place.

For years, I have taught law students about our county jail system. We seem to be caught in an endless loop of crises. It begins with revelations of problems in the jails and the board's criticisms of the sheriff. Then follows a promise of reforms, but these reforms do not include any mechanism for the public to monitor their implementation or efficacy. The next the public hears of the jails is another round of criticism and another set of reform pledges.

The Board of Supervisors is in the process of selecting an inspector general for the Sheriff's Department. It is hoped that individual will have the expertise to investigate allegations of improper conduct by the department. But this will not break the cycle. Rather, for public confidence to be fully restored, there must be civilian over-

seers who will not only react to allegations of misconduct but also be proactive in making reforms. And such a board must have the power to ensure that its members' voices will truly be heard.

Allocating this responsibility to the supervisors alone, or even to the supervisors and an inspector general, does not take into account what makes citizen panels so special. French historian Alexis de Tocqueville once said: "The surface of American society is covered with a layer of democratic paint, but from time to time one can see the old aristocratic colors breaking through."

For those concerned about what will happen next in the supervision of the Sheriff's Department, the current system smacks a bit too much of democracy without real input from the citizenry. Certainly, a citizen can complain to her supervisor about the jails and even suggest a change or two. However, what citizens cannot currently do is engage in discussions of what causes abuse and problems and, more important, what should be done about them.

There are 10 million reasons civilian oversight should play a role in reforming the Sheriff's Department and our jails — the 10 million residents of Los Angeles County. Appointed by the Board of Supervisors, a panel of civilians could give regular, informed feedback to the supervisors regarding any ongoing problems in the jails and regarding the public's perception of the effectiveness of the work of the new inspector general. Integrating residents' concerns into the decision-making process would not displace the authority of the supervisors or the sheriff. Rather, it would create a partnership in the effort to reform our jails. Such a partnership is what has been lacking in prior efforts to monitor and change the department.

Opponents of a civilian oversight board have argued that the Board of Supervisors alone, or now in conjunction with a newly created inspector general office, is sufficient. However, neither entity brings to the table the direct voice of the community, one not filtered through a political process or limited to a lengthy fact-finding role. If legislation is needed to define the role and responsibilities of a civilian oversight board, then the supervisors should push for such legislation. However, the public should not be left again with empty promises of change. Professional monitoring by an inspector general is important, but so are the voices of the people.

LAURIE L. LEVENSON is a professor of law at Loyola Law School and a former federal prosecutor.

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Commentary Fri 11-1-13 LA Times

## L.A. County workers: Why we might strike

By Ileana Meza and  
Mellonie Freeman

Like most Americans, we watched as politicians in Washington bickered for weeks while the bills mounted for hundreds of thousands of federal employees forced to bear the economic brunt of the government shut-down.

So, why are 55,000 Los Angeles County workers choosing whether to give up their paychecks and potentially strike?

On Tuesday night, after two days of intensive bargaining, our contract talks with county negotiators broke down. One big reason they broke down is that county employees don't feel like our bargaining proposals are being heard.

So, we believe that by voting yes, we can send a clear message to the Board of Supervisors that we are prepared to take action to demonstrate just how important the initiatives we're negotiating are to us and the vulnerable populations we serve.

When our contract expired on Oct. 1, county employees discussed what isn't working at the county. We spent long hours swapping heartbreaking stories. We debated possible solutions. As front-line workers, we decided that we had the opportunity to negotiate not just for our own benefit, but for the benefit of the people we protect and care for.

The proposals we brought to

the table include:

- A "children's first" action plan that will reduce the social worker-to-child ratio at the Department of Children and Family Services. Most social workers juggle 40 to 50 children at a time. That's three times the federal standard. Our plan would allow the county to hire and train the 1,400 social workers needed to lower the dangerously high caseloads. Forty-five community, religious and child welfare advocacy organizations have endorsed this plan.

- A ride-share program that rewards the workforce for taking public transit to work. This proposal will reduce pollution, ease congestion and pump significant new revenue into the county.

- A commitment to help close a tax loophole that corporations use to starve the region of property tax revenues that support county programs, schools and parks. Just last week, Brookfield Office Properties, Inc. completed a downtown skyscraper deal that allows the New York-based developer to avoid paying \$10 million a year in property taxes.

- A living wage for the men and women who work alongside us but are employed by private county contractors. L.A. County's living wage ordinance has been raised just once in 14 years. As the largest public employer in Southern California, the county should set an example by making sure that the people who work for it do not fall into poverty.

- Restoring income security for our families and loved ones. L.A. County workers haven't gotten a raise in five years. We sacrificed during that time in order to help the county get through the recession caused by the financial meltdown. Now, without cost-of-living adjustments, many of us are falling out of the middle class.

To make matters worse, the county wants us to pay so much for our health care that any raises we'd normally get would be erased. In fact, for about half of us, the county is proposing what amounts to a pay cut.

This is a package worth fighting for.

We are doing our best to appeal to reason and win a settlement at the table. But if we do have to stop work, we promise to do more than just walk the picket line to make a point.

We pledge to also take part in daily community service and volunteer efforts at libraries, parks, schools and shelters, in order to make progress and serve the community. After all, that's our job.

*Mellonie Freeman is a children's social worker for the Los Angeles County Department of Children and Family Services.*

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